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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Attorney Docket No. 023663.00003

Kazuaki HIRASAWA et al.

Confirmation No.: 3763

Serial No.: 10/511,345

Examiner: MARX, Irene

Filed: October 15, 2004

Art Unit: 1651

For: METHOD FOR PRODUCING CANTHAXANTHIN

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Date: August 24, 2007

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB08. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

merits	This Information Disclosure Statement is being filed (a) within three months U.S. filing date, OR (b) before the mailing date of a first Office Action on the in the present application, OR (c) accompanies a Request for Continued nation. No certification or fee is required.
	This Information Disclosure Statement is being filed more than three months ne U.S. filing date AND after the mailing date of the first Office Action on the , but before the mailing date of a Final Rejection or Notice of Allowance.
	a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
	b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information

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Disclosure Statement. 37 CFR §1.97(e)(2).

		c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
	Allowar the Info petition overpa	This Information Disclosure Statement is being filed more than three months lie U.S. filing date and after the mailing date of a Final Rejection or Notice of ince, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that formation Disclosure Statement be considered. Please charge the \$180.00 in fee under 37 CFR §1.17(i)(1), and any additional fee deficiency or credit any syment to Deposit Account No. 01-2300 as needed to ensure consideration of closed information.
		a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
		b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
OPTIO	NAL PA	ARAGRAPH 4:
	4.	Copy/Copies of the U.S. Patent reference(s) is/are not enclosed.
	4. presen	The relevance of the non-English language references(s) is discussed in the t specification.
	4. English informa	The reference(s) was/were cited in a counterpart foreign application. An language version of the foreign search report is attached for the Examiner's ation.
	4. referen	A concise explanation of the relevance of the non-English language nce(s) appears in the Appendix attached hereto.
	identification secrecy patent.	The Examiner's attention is directed to co-pending U.S. Patent Application, filed, which is directed to related technical subject matter. The cation of this U.S. Patent Application is not to be construed as a waiver of y as to that application now or upon issuance of the present application as a The Examiner is respectfully requested to consider the cited application and cited therein during examination of the present application.
	4.	This application is one of a series of related applications, identified in the

attached Appendix, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications nor or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during the examination. The reference(s) was/were cited by or submitted to the Office in parent _, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these references are not attached. 37 CFR § 1.98(d). An English-language Abstract(s) of the non-English language reference(s) are attached hereto. \boxtimes Other. The relevance of the submitted references is discussed in the Amendment and Reply under 37 C.F.R. § 1.116 filed August 24, 2007. That is, B02 is submitted to rebut the § 112 rejection; B01 is submitted to support Applicants' rebuttal of the § 103 rejection. In the event that any fees are due with respect to this paper, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 01-2300, referencing Atty.

Respectfully submitted,

Patricia D. Granados Registration No. 33,683

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	Complete if Known					
Application Number	10/511,345					
Filing Date	October 15, 2004					
First Named Inventor	Kazuaki HIRASAWA					
Art Unit	1651					
Examiner Name	MARX, Irene					
Attorney Docket Number	023663.00003					

Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
•	B01	US- 2007/0105189 A1	05-10-2007	Tsubokura	
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FOREIGN PATENT DOCUMENTS

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Complete if Known 10/511,345 **Application Number** October 15, 2004 Filing Date First Named Inventor Kazuaki HIRASAWA Art Unit 1651 MARX, Irene **Examiner Name**

(Use as many sheets as necessary) Sheet 023663.00003 **Attorney Docket Number** of

NON PATENT LITERATURE DOCUMENTS				
Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		1, T2		
	B02	CRUEGER, W. and A. Crueger, "BIOTECHNOLOGY: A Textbook of Industrial Microbiology", Chapter 3, page 26; Second Edition, Thomas D. Brock, Editor; Sinauer Associates, Inc.; Sunderland MA 01375, R. Oldenbroug Verlag GmbH, Munich Germany, 1989.	А	
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